

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**SPECIAL SESSION  
June 17, 2002**

The Board of Supervisors of Maricopa County, Arizona convened at 2:00 p.m., June 17, 2002, in the Board of Supervisors' Conference Room, Tenth Floor, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman; Fulton Brock, Vice Chairman; Andy Kunasek, Max W. Wilson, and Mary Rose Wilcox. Also present: Fran McCarroll, Clerk of the Board; Alma Hernandez, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

**ACTION: JUVENILE PROBATION DEPARTMENT EQUIPMENT PROCUREMENT**

Item: Judicial Branch, Juvenile Court – Equipment purchases. (C2702013M) (ADM1400-002)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the purchase of approximately 55 two-way radios for the Juvenile Probation Department, as prescribed by Budget Administration Memo #8. An allocation of approximately \$130,000 is being made by the Administrative Office of the Supreme Court (AOC), Standard Probation and Juvenile Intensive Probation Grants. The equipment will be issued to Juvenile Probation Officers in service of enhancing safety in the community.

**ACTION: INTENSIVE RESOURCE GROUP, LLC., AGREEMENT TERMINATION**

Item: Deputy County Administrator, Health Care Mandates – Termination of agreement. (C39020201) (C90993321YY)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the termination agreement with Intensive Resource Group, LLC., effective June 30, 2002, terminating the Management Agreement, dated June 16, 1999.

**ACTION: TELECOMMUNICATIONS FY 2001-2002 EXPENDITURE BUDGET**

Item: Chief Information Officer, Telecommunications – Increase in the Telecommunications FY 2001-2002 expenditure budget. (C76020228) (ADM5300)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an increase in the Telecommunications FY 2001-2002 expenditure budget in the amount of \$3,226,495, with an offsetting transaction to eliminations of \$3,226,495. This adjustment will accommodate increased expenditures in the amount of \$3,060,495 generated by customer driven work orders, voice and data circuits and cell phones and will be funded from the corresponding revenue generated by those activities. It will also allow additional expenditure authority in the amount of \$166,000 so that Telecommunications Unreserved Fund Balance may be utilized to fund agenda item C76020180 approved on April 3, 2002. This agenda item approved the frequency re-pack for the County radio system.

**ACTION: PROPOSED PURCHASE AGREEMENT CONTRACT**

Item: Chief Public Works Officer, Facilities Management – Proposed Purchase Agreement. (C7002111B) (ADM811-005)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the proposed Purchase Agreement with BANKAM, L.L.C., a Delaware Limited Liability

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Company for the potential purchase of a building located at 101 North First Avenue, Phoenix, Arizona. Further, authorize County Counsel to develop and complete contractual details necessary for final approval by both parties and authorize the Chairman and Clerk of the Board to execute the agreement upon approval by County Counsel. The agreement grants Maricopa County a 90-day exclusive, due diligence & option period for one dollar (\$1.00).

Supervisor Wilcox inquired whether the agreement had any provisions that would require the seller to assume compliance costs if deficiencies were encountered. Chairman Stapley responded that all substantial issues have been addressed and should a problem arise, the County has the option to walk away from the purchase. Terry Eckhardt, County Attorney's Office, concurred, but stressed that after the 90-day option period, the purchase contract would be on an "as is" basis if the Board elected to move forward.

**ACTION: SOLID WASTE MANAGEMENT DEPARTMENT**

Item: Chief Public Works Officer, Solid Waste – Authorization for the Solid Waste Management Department to accept offer. (C67020030)

Motion was made by Supervisor Kunasek, and seconded by Supervisor Brock to authorize the Solid Waste Management Department to accept the offer of Envirotech Industries to store waste tires on their leased property located at 15102 West State Highway 238, Maricopa, Arizona 85239.

Supervisor Kunasek questioned Ash Madhok, Solid Waste Director, whether a back-up contractor would be available if the tire-recycling contractor were to default. Mr. Madhok answered that at this point, there is no back-up contractor in place, however, plans are being developed to resolve this issue.

Supervisor Brock asked if security existed on site. Mr. Madhok replied that although there is no overnight security at this site, there is a \$250,000 performance bond. The majority of the tires are located at the Mobile landfill site, which does have a 24-hour security guard.

Chairman Stapley called for the vote and the motion was unanimously carried (5-0).

**APPROVAL OF MINUTES**

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meetings held March 18, May 7, and 13, 2002.

**DISCUSSION AND ACTION: FISCAL YEAR 2002-2003 TENTATIVE BUDGET**

Item: The Office of Management and Budget recommended approval of the following: (C49020478) (ADM1802)

- a) Fiscal Year 2002-2003 Tentative Budget by total appropriation for each department and fund in the amount of \$2,373,806,101 (Expenditures totaling \$2,152,413,470 and Appropriated Beginning Fund Balance of \$221,392,631);
- b) Fiscal Year 2002-2003 Tentative Budget Executive Summary; and
- c) Set a public hearing to solicit public comments on the Fiscal Year 2002-2003 Budget for 9:00 a.m., Monday, July 22, 2002.

Sandi Wilson, Deputy County Administrator, provided a brief overview of the tentative budget, explaining that it is the maximum amount that can be spent in the next fiscal year, 2002-2003. The tentative budget has a flat overall tax rate and will continue to be refined until finalization.

This budget year encountered difficult hurdles including cost shifts from the State of Arizona, cost increases from the mandated health care system, and a limited growth in revenues impacted by the slowdown of the economy. Ms. Wilson praised the department directors for their cooperation in laboring with one of the tightest budgets since 1993.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried, (5-0), to approve the item with the following amendment to Section "a)":

"Fiscal Year 2002-2003 Tentative Budget by total appropriation for each department and fund in the amount of \$2,373,806,101 (Expenditures totaling \$2,152,413,470 and Appropriated Beginning Fund Balance of \$221,392,631) with a reduction in appropriated Fund Balance contingency of \$250,000 and the creation of a new line-item in the amount of \$250,000 entitled "Maricopa County Regional Trails Master Plan" in the appropriated Fund Balance-Other General Fund Programs for FY2002-03"

**DISCUSSION AND ACTION: MARICOPA COUNTY CAPITAL IMPROVEMENT PROGRAM**

Item: The Office of Management and Budget – Amend the Maricopa County Capital Improvement Program. (C49020518) (ADM1820)

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to amend the Maricopa County Capital Improvement Program adopted by the Board of Supervisors on May 16, 2002, to include the following changes:

- a) State Criminal Alien Assistance Program (SCAAP) funding for the Human Services Campus increases from \$2.1 million to \$6.8 million while the General Fund allocation decreases from \$4.9 million to \$200,000.
- b) Establish a Project Reserve of \$10 million.
- c) Transportation CIP Project Reserve increased by \$16,232.

**DISCUSSION AND ACTION: MARICOPA COUNTY "FUNDED POSITIONS POLICY"**

Item: The Office of Management and Budget – Amend the Maricopa County "Funded Positions Policy". (C49020536) (ADM1827)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an amendment to the Maricopa County "Funded Positions Policy" (B3001) to establish guidelines for adding, deleting and changing positions so that all authorized positions are fully funded on an annualized basis.

**FUNDED POSITIONS POLICY**

**A. Introduction**

The purpose of the Funded Positions Policy is to establish guidelines for adding, deleting and changing positions so that all authorized positions are fully funded on an annualized basis, and that any filled or vacant position that becomes unfunded or under-funded is either fully funded or deleted.

**B. Definitions**

Full Time Equivalent (FTE): A value equivalent to a number of employees paid full time (forty hours per week, or from 2,080 to 2,096 hours per year, depending on the calendar). A half-time position that is paid 20 hours per week equates to .5 FTE; four half-time positions, each paid for 20 hours per week, equals 2.0 FTE, and so on. A single position may have an FTE value greater than zero, but not greater than 1.0. A group of positions has an aggregate FTE value based on the FTE values of the specific positions within the group.

Fully Funded Position: An authorized position that is fully funded by the general revenues of the County, a special revenue source, or a grant.

Payroll Liability: The salaries, benefits, payoff of accrued vacations and compensatory time and career center expenses that result from a reduction in force.

Under-funded Position: A position for which a County Department/Special District has 1% to 99% of the funding required to support it on an annualized basis

Unfunded Position: A position that is not funded.

**C. New Position Establishment Policy Guidelines**

1. In order to create a new position, County Departments/Special Districts must submit a request to the Office of Management and Budget (OMB) on an official form that includes the following information:
  - Working title and description of the position or positions requested.
  - The number of positions requested and FTE value(s) of the position(s) requested.
  - A Brief description of the purpose of the new position(s), including relation to program/activity/service, performance measures, key results, and strategic goals.
  - The full cost of the requested position(s), including not only direct salaries and benefits, but also indirect costs such as uniform allowances, equipment, and mandated or essential training. The County Department/Special District will also indicate whether it has enough building space, or identify the costs and sources of funding for additional space if needed.
  - The funding source of the position(s) and location in the current budget.
  - A list of any positions to be deleted in conjunction with creating the new position, along with a description of any other budgetary reductions made to offset the cost of the new position(s).
  - Justification of why budget savings, including savings from deleted positions, should be used to create new positions and not result in a budget reduction
2. The County Department/Special District director, elected official or chief deputy to an elected official must sign all position requests.
3. Position requests must be sent to the Office of Management and Budget (OMB) for review. OMB will verify that the requested positions have been budgeted appropriately and that there is adequate funding to support the budget as a whole, including the requested position(s). OMB will not approve new positions unless their fully annualized cost can be supported within the County Department's/Special District's current appropriation, or if the Board of Supervisors/Directors has

approved other funding. OMB will also verify that the request complies with established policies and priorities of the Board of Supervisors/Directors.

4. On approval by OMB, position requests from Elected or Judicial Branch departments will be forwarded to Compensation for review of job description and salary information. Requests from appointed County Departments/Special Districts will be forwarded to the Deputy County Administrator for final approval before they are forwarded to Compensation.
5. If a position request is denied, Elected or Judicial Branch departments may appeal the decision to the Board of Supervisors/Directors. If the Board of Supervisors/Directors approves a position request on appeal, the approval must be accompanied by an action to provide funding for the position(s) as necessary.

**D. Position Funding Policy Guidelines**

1. Each year as part of the budget process, County Departments/Special Districts must verify that budgets and funding are adequate to support all authorized positions. The Office of Management and Budget will validate that position funding is adequate, and will identify all positions that are potentially unfunded or underfunded.
2. Personnel will be budgeted by market range title, full-time equivalent (FTE) and average wage and benefit rates at the fund and organizational unit level within County Department/Special District budgets. Total authorized FTE's and average wage and benefit rates must be at or lower than budgeted levels at all times, and fully funded on an annualized basis with current appropriation levels and funding.
3. Personnel savings due to natural staff turnover will be budgeted in all County Departments/Special Districts at appropriate levels. If actual personnel savings reaches high levels due to failure to fill positions for extended periods, adjustments will be made to either eliminate the positions or make efforts to fill them.
4. County Departments/Special Districts with vacant underfunded positions will discuss the funding shortfall with OMB. County Departments/Special Districts have the option of eliminating the position(s) or identifying additional funding for the position(s).
5. OMB and County Departments/Special Districts will delete any vacant positions identified as unfunded or under-funded.
6. If filled positions are identified as unfunded or under-funded, the County Departments/Special Districts will provide the following information:
  - The position or positions' contribution to provision of service and results.
  - The full cost to continue the position.
  - The resulting payroll liability if current employee(s) are terminated due to lack of funding.

This information will be forwarded for review and validation by the Office of Management and Budget. OMB will consolidate the information and forward it to the Board of Supervisors/Board of Directors for possible action.

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**SPECIAL SESSION  
June 17, 2002**

7. If eliminating unfunded or under-funded positions results in a Reduction In Force, the process will be conducted in a uniform manner in accordance with procedures administered by the Human Resource Department. Any payroll liability costs will be funded from within the County Department's/Special District's current appropriation.

**MEETING RECESSED**

The Board of Supervisors recessed from the special meeting to convene as Special District Boards of Directors to address posted agenda items.

**MEETING RECONVENED**

Chairman Stapley reconvened the Maricopa County Board of Supervisors.

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Don Stapley, Chairman of the  
Board

ATTEST:

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Fran McCarroll, Clerk of the Board